

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 IO-13 AID-05 CIAE-00 COME-00

FRB-03 INR-07 NSAE-00 USIA-06 TRSE-00 XMB-02 OPIC-03

SP-02 CIEP-01 LAB-04 SIL-01 OMB-01 NSC-05 SS-15

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TAGS: PGOV, PFOR, UN, ECOSOC, DA

SUBJECT: U.S. PROPOSAL FOR INTERNATIONAL AGREEMENT ON ILLICIT
PAYMENTS

REF: STATE 104346

1. PER REFTEL WE APPROACHED MINISTRY OF FOREIGN ECONOMIC
AFFAIRS ON THE U.S. PROPOSAL FOR AN INTERNATIONAL AGREE-
MENT ON ILLICIT PAYMENTS AND NOW HAVE THEIR INITIAL RESPONSE.

2. MINISTRY OFFICIAL MADE FOLLOWING POINTS:

A. DENMARK AGREES WITH THE U.S. THAT CORRUPT BUSINES
PRACTICES SHOULD BE PREVENTED AND THAT AN INTERNATIONAL
AGREEMENT COULD BE USEFUL. IT IS THE RESPONSIBILITY OF
EACH STATE, HOWEVER, TO SET FORTH CLEAR RULES
WITHIN ITS OWN TERRITORY.

B. DENMARK CONSIDERS THAT MUCH OF THE DISCUSSION OF
ILLICIT PRACTICES AT THE 30TH GENERAL ASSEMBLY WAS CON-
SUMED BY FRUITLESS DEBATE ABOUT LEGAL ACTIONS THAT COULD
OR SHOULD BE TAKEN BY HOME RATHER THAN HOST COUNTRIES.
DENMARK DOES NOT WANT TO SEE A REPETITION OF THESE

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DISCUSSIONS. IT FEARS THIS COULD HAPPEN IF THE SUB-

JECT IS REVIVED DURING THE 31ST SESSION OF ECOSOC AND
TAKE TIME AWAY FROM AN ALREADY CROWDED AGENDA.

C. DENMARK PREFERS SIMPLY TO STAND ON RESOLUTION
3514 FROM THE 30TH SESSION OF THE GENERAL ASSEMBLY,
WHICH DENMARK BELIEVES CONTAINS THE APPROPRIATE
SOLUTIONS FOR THE PROBLEM.

D. DENMARK CONSIDERS THE QUESTION OF ILLICIT
PRACTICES TO BE ONLY ONE OF A NUMBER OF MATTERS
INVOLVING TNC'S AND DOES NOT THINK THAT IT SHOULD
BE CONSIDERED IN ISOLATION. IN THIS REGARD DENMARK
SUPPORTS THE OECD APPROACH TO INTERNATIONAL GUIDE-
LINES FOR TNC'S. THE UN COMMITTEE ON TNC'S SHOULD
ALSO CONSIDER THIS PROBLEM IN ITS DELIBERATIONS.

E. DENMARK SUGGESTS THAT THE 31ST SESSION OF
ECOSOC MIGHT SIMPLY LIMIT ITSELF TO REQUESTING
THE UN TO MAKE A PROGRESS REPORT ON WHAT IS BEING DONE
ABOUT ILLICIT PRACTICES.

F. DENMARK WILL GIVE U.S. PROPOSALS (CONTAINED
IN REFTEL) FURTHER STUDY. ALTHOUGH DENMARK WOULD
PREFER THAT ECOSOC NOT REOPEN THE DISCUSSION, DENMARK
CAN PROBABLY GO A LONG WAY IN SUPPORTING THE U.S. IF
THE SUBJECT IS DEBATED THERE.
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